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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,466	11/28/2003	Jae Kyum Kim	0465-1103P	7972

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BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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RIGGLEMAN, JASON PAUL

ART UNIT	PAPER NUMBER
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1746

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/31/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/31/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

# Office Action Summary

Application No.

10/722,466

Applicant(s)

KIM ET AL.

Examiner

Jason P. Riggleman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 27 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-10 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-10 and 12-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's cancellation of claim 4 and claim 11 in the reply filed on 12/27/2006 is acknowledged. Current pending claims are 1-3, 5-10 and 12-18. Claims 1, 7, 8, and 14 are amended and claims 15-18 are new. In light of applicant's arguments, the rejection of claims 1-14 under 35 U.S.C. 102(b) as being anticipated by Smith et al. (US Patent No. 4307588) is withdrawn.
2. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.
3. Applicant's arguments filed 12/27/2006 have been fully considered but they are not persuasive. The applicant does not specifically point out errors and instead makes vague allegations. It is not enough to accuse the examiner of failing to make a prima facie case and to cite case law indicating the requirements for a robust 102 rejection. It is suggested that the applicant specifically and precisely claim a structure for the notch recess, itself, in addition to defining the position on the front panel of the washing machine.
4. In regards to the 102 rejection with the ASA, Fig. 3 shows four distinct U-shaped features -- two of the type seen at the top corners of the panel near 11d. Also, two U-shaped features are seen at the bottom of the panel between the side flange bottom and the side of the bottom flange (unmarked in Fig. 3). The claims do not precisely

claim the structure shown in Fig. 4 –111a. In light of applicant's cancellation of claims 4 and 11, the 102 rejections are maintained on claims 1-3, 5-10 and 12-14 over the ASA.

The position remains and the arguments are not persuasive.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1 and 8 recite the limitation "top and bottom" for both "flanges" and "frames". There is insufficient antecedent basis for these limitations in the claims.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-3, 5-10, and 12-18 are rejected under 35 U.S.C. 102(a) as being anticipated by the admitted state of the art, ASA, disclosed by the applicant.

9. The ASA (paragraphs [0003]-[0019]), Fig. 3 teaches a washing machine consisting of a cabinet 10, having front, back, rear, bottom, and side panels/plates with the front panel containing a plurality of notch recesses. In the front panel is an opening provided for the door 12 to be installed at the front side. A tub 20 provided inside the cabinet 10, and a drum 30 rotatably installed inside the tub 20. The notch recesses are formed at both ends of the top and bottom flanges and in the vicinity of both ends of the top and bottom frames, Fig. 3.

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10. The front panel 11 consists of top and bottom flanges 11a and 11b, respectively, which are bent from the top and bottom edges of the front panel 11 in a rear direction and, respectively and side flanges 11c and 11d, respectively, are bent in the rear direction. The notch recesses are formed at one side of portions where the front panel is assembled to the body.

11. Fig. 3, indicates "U"-shaped notch recesses formed at the outline part of the front panel at both ends of the top and bottom flanges on the side of the panel and in the vicinity of both ends of the top and bottom of the frames, respectively. The notch recesses are formed at both sides of the side flanges.

12. The top and bottom flanges extend toward the open front side and the notch recesses are located at each corner of the top and bottom flanges. The notch recesses open toward the open front side of the cabinet body.

### ***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Riggleman whose telephone number is 571-272-5935. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Riggleman  
Examiner  
Art Unit 1746



**MICHAEL BARR**  
SUPERVISORY PATENT EXAMINER

JPR